

YOUTH SERVICES POLICY

Title: Youth Visitation in Secure Facilities Next Annual Review Date: 06/20/2015	Type: C. Field Operations Sub Type: 2. Security Number: C.2.8
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References: La. R.S 14:402, and 40:961; La. Code of Criminal Procedure 215:2; ACA Standards 2-CO-5D-01 (Administration of Correctional Agencies), 4-JCF-1C-08, 4-JCF-3A-01, 4-JCF-3A-18, 4-JCF-3A-19, 4-JCF-3A-20 (Performance-based Standards for Juvenile Correctional Facilities); US DOJ PREA Standard 115.353 (d); YS Policies A.2.15 "Dress Code for Secure Care Facilities and Community Based Services", A.2.18 "Criminal Record Checks", A.5.11 "Video Conferencing"; B.2.2 "Youth Classification System and Treatment Procedures", B.2.3 "Secure Care Direct Admission", B.2.8 "Victory Treatment Unit (VTU)", B.2.20 "Non-Discriminatory Services to Lesbian, Gay, Bisexual, Transgender, Intersex, Questioning (LGBTIQ), and Nonconforming Youth", B.5.1 "Youth Code of Conduct Secure-Care", C.1.4 "Attorney Visits", C.2.2 "Facility Riot", Significant Disturbance and Hostage Situation", C.2.5 "Searches of Visitors", and C.2.22 "Contraband Control - Secure Care Facilities"	
STATUS: Approved	
Approved By: Mary L. Livers, Deputy Secretary	Date of Approval: 06/20/2014

I. AUTHORITY:

Deputy Secretary of Youth Services (YS) as contained in La. R.S. 36:405. Deviation from this policy must be approved by the Deputy Secretary.

II. PURPOSE:

To establish procedures for youth visitation at YS Secure Care Centers for Youth.

III. APPLICABILITY:

Deputy Secretary, Assistant Secretary, Chief of Operations, Deputy Assistant Secretary, Regional Directors, and Facility Directors.

IV. POLICY:

Visitation is encouraged in all secure care facilities to maintain youth-family ties, and shall be pursuant to the following guidelines. Facility Directors are responsible for implementing this policy and conveying its contents to all affected employees, youth, and visitors.

V. DEFINITIONS:

Juvenile Electronic Tracking System (JETS) - The centralized database used to track all youth under OJJ supervision or custody, and to record youth case record activity.

National Criminal Information Center (NCIC) - A computerized index of criminal justice information (i.e. - criminal record history information, fugitives, stolen properties, missing persons).

Terminal Agency Coordinator (TAC) - Designated staff trained to ensure agency compliance with NCIC and the Louisiana Law Enforcement Telecommunications System (LLETS).

VI. YOUTH VISITATION:

A. Written information regarding visitation procedures shall be made available to the youth and the parent/guardian within 24 hours of the direct admission process at a secure care facility, pursuant to YS Policy B.2.3. Such information shall include, but is not limited to the following:

1. The facility's address and phone number;
2. Directions to the facility and information regarding local transportation;
3. Days and hours of visitation;
5. Any items that visitors are permitted to bring to youth;
6. Any specific rules for children who visit; and
7. How to schedule special visits.

Documentation of the above process shall be noted on a "Weekly Contact Progress Note" in JETS within three (3) working days, with the Contact Type noted as "Family". A hard copy shall be placed in the youth's Master Record under Clip VIII.

B. There shall be no limit to the number of immediate family members a youth may choose to place on his visitation list. Immediate family members shall consist of biological parents, legal guardians, step parents, siblings, biological children, and grandparents, who shall prove their relation to the youth through birth certificates, marriage license, custody orders, adoption papers, etc. The youth's Case Manager, Counselor, teacher or other staff member shall provide assistance compiling the youth's visitation list. It is the youth's responsibility to provide the correct name, address, birth date, race, and sex of each visitor.

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At the discretion of the Facility Director or Regional Director, and in conjunction with the youth's Probation and Parole Officer/Juvenile (PPO/J), Regional Manager or Social Services staff, exceptions to allowable visitors other than immediate family may be granted.

- C. Visitors 14 years of age and older must have a picture identification. Siblings (under the age of 18) or biological children of the youth must be accompanied by an adult who is on the approved visiting list. A maximum of three (3) visitors shall be allowed at any time, to include infants.
- D. Exceptions to being accompanied by an adult may be made in the following cases as determined by the Facility Director:
 - 1. Minor spouse; and
 - 2. Emancipated minors (Judgment of Emancipation required as proof).
- E. Legal advisors may be allowed to visit without being included in this number pursuant to YS Policy C.1.4, Monday through Friday between the hours of 8:00 a.m. and 4:00 p.m., with a 24 hour advance notice. Visits with clients outside the aforementioned days/times must be requested at least 24 hours in advance so the agency can make appropriate provisions.
- F. A record of approved visitors shall be maintained on the youth's Relationship screen in JETS through staff designated by the Facility Director. Confirmation of a youth's actual visits shall be documented weekly on the "Visitation-Family Contact Progress Note" in JETS.
- G. When a youth requests an addition to his visitation list, the "Police Questionnaire" [see Attachment C.2.8 (a)], and the "Visiting Questionnaire" [see Attachment C.2.8 (b)], shall be sent to the proposed visitor pursuant to YS Policy A.2.18. By completing and signing both forms the visitor is agreeing to be on the youth's visitation list and to obey the secure care facility "Rules and Guidelines for Visiting Youth" [see Attachment C.2.8(c)]. The information received from the "Police Questionnaire" and the "Visiting Questionnaire" shall be used to run the criminal record check prior to final approval. Providing false information on the questionnaires may delay or result in the refusal of visitation privileges.
- H. All proposed visitors shall receive a criminal record check pursuant to YS Policy A.2.18 prior to being allowed on the grounds of a Secure Care Center for Youth, and annually thereafter. Background checks shall occur within 48 hours of receipt of the applicable completed forms.
- I. Tentative approval during the direct admission process for youth who do not have an established visitation list **shall not** be granted for proposed visitors under any circumstances.

- J. If a youth transfers from one secure care facility to another with an approved visitation list, an additional background check **shall not** be conducted on already approved visitors from the sending facility. A copy of the applicable paperwork shall follow the youth to the receiving facility and shall remain in effect until the annual review is due. The receiving facility shall also confirm the visitation information in JETS.
- K. Immediate family members who have been convicted of a felony shall be reviewed by the Facility Director and the Regional Director to determine if visitation is appropriate, and if approved, whether special arrangements should be implemented. Documented approval or disapproval shall be noted on the youth's Relationship screen as well as in a "Weekly Contact Progress Note" in JETS by the youth's Case Manager.
- L. If immediate family members are unable to travel to the facility or they do not have transportation available, a video-conference shall be arranged pursuant to YS Policy No. A.5.11.
- M. Restrictions on Visitation:
 - 1. A youth may refuse to see a visitor. If so, the youth shall be asked to sign a statement to that effect (or documentation shall be placed in the youth's master record that the youth refused to do so).

(When a youth refuses to see a visitor, the assigned Case Manager shall be notified and counsel with the youth to determine the reason for the refusal. The results of this session shall be documented on a "Weekly Contact Progress Note" in JETS within three (3) working days);
 - 2. A person may be removed from the approved visiting list at the person's own request or at the request of the youth;
 - 3. Any person may be denied permission to visit during the time of a disturbance at the facility. All visitation may be suspended during an emergency (refer to YS Policy No. C.2.2); and
 - 4. A visitor can only be on one (1) youth's visitation list unless that visitor is an immediate family member of more than one (1) youth. Proof of relationship shall be the responsibility of the youth and the youth's family. The youth's Case Manager, Counselor, teacher or other staff member shall provide assistance with proving the relationship if requested by the youth.
- N. It is the Facility Director's responsibility to develop and post procedures regarding the notification of visitors of their approval or disapproval to visit.

VII. CHANGING THE VISITATION LIST:

Each youth shall be allowed to request changes (additions, deletions, substitutions) to his approved visitation list quarterly, in conjunction with their Reclassification Staffing or when the youth transfers to another secure care facility.

VIII. NUMBER, DURATION AND CONDITIONS OF VISITS:

- A. Visitation shall be held weekly on Saturday and Sunday between the hours of 12:00 p.m. and 4:00 p.m. at all secure care facilities.
- B. Visitors shall be provided with a copy of the rules governing visitation, and the rules shall also be conspicuously posted in all visitation areas.
- C. Visits may be discontinued if the youth or visitor violates the facility visiting for that visitation day only. Restriction of visitation shall not be used as a consequence for a Code of Conduct Violation (refer to YS Policy No. B.5.1).
- D. Dress Code for Visitors - Visitors must be dressed appropriately. All visitors shall follow the dress code requirements outlined in YS Policy No. A.2.15, Section VIII. The facility Standard Operating Procedure shall include the appropriate information contained therein. The Dress Code for visitors shall be posted at the facility entrance. Individuals improperly dressed shall be refused permission to visit.
- E. Youth in the Behavior Management Unit (BMU) or the Victory Treatment Unit (VTU) shall be allowed visitors unless their placement was a result of a visitation violation. Special conditions may be placed on the youth's visitation privileges, such as restricted time limits, being required to visit at a separate location and under more restrictive conditions. (Additional information is located in YS Policy Nos. B.2.8 and B.5.1)
- F. When appropriate, administrative, educational, mental health and other staff shall utilize visitations with family members to discuss relevant case management issues. The "Visitation - Family Contact Progress Note" shall be utilized to document all contacts with family members during weekend visitation by the Case Manager making the contact.
- G. If a youth does not receive visits, the "Visitation-Family Contact Progress Note" form shall be completed in JETS on a quarterly basis by the youth's Case Manager, denoting the lack of visits. The Case Manager and the youth's PPO/J shall discuss the youth's lack of visits and work together to determine the reasons in an effort to resolve them. These discussions may take place at any time or during the youth's quarterly staffing, and documented on a "Weekly Contact Progress Note" in JETS within three (3) working days of discussion by the youth's Case Manager.

- H. Visitors are prohibited from bringing in any item(s) to youth that are already being provided to meet their basic needs such as clothing, toiletries, shoes, underwear and food. Appropriate cards for birthdays and holidays are allowed, as well as appropriate photographs.
- I. Visitors are prohibited from bringing any money (coins or cash) beyond the front entrance gate of the facility. Money may be accepted for a youth's personal account by secure care staff at the front entrance gate with an issued receipt, pursuant to YS Policy Nos. C.2.5 and C.2.8.

IX. SUSPENSION OF VISITATION PRIVILEGES:

- A. Refusal to visit and removal from a youth's approved visitation list shall occur when a visitor does not comply with facility rules. Removal may be temporary or permanent depending upon the severity of the violation, pursuant to Section VIII.C.
- B. Refusal to visit shall occur when a visitor's conduct at the facility results in a violation of state and/or federal law, such as assault, battery, disturbing the peace, introduction or attempted introduction of contraband, lewd behavior, etc.
- C. Procedures to Remove a Visitor from the Visitation List:
 - 1. The Facility Director shall notify the visitor in writing of his/her removal from the youth's approved visitation list, the reason for the removal, and when the removal will be reviewed. The notification shall include the visitor's right to appeal the Facility Director's decision to the Regional Director, by forwarding a letter within 15 days of the date of the notice.
 - 2. If the visitor exercises this appeal right, the Regional Director shall review the appeal and investigate as appropriate within 30 days of receipt of the appeal request. A hearing may be scheduled and the visitor shall be notified of the time, date and location of the hearing, which may be accomplished through video conference.
 - 3. The Facility Director/designee shall submit a report to the Regional Director providing any information that may assist in making the decision. If a hearing is held, the Regional Director may require the Facility Director's presence. Otherwise, the hearing shall consist of a meeting between the visitor and the Regional Director and shall be recorded.
 - 4. The Regional Director shall render a written decision with reasons granting or denying the appeal, and shall notify the visitor and the Facility Director of the decision without undue delay.

5. The Regional Director's decisions shall be final.

X. TREATMENT OF VISITORS:

- A. All visitors and youth shall be provided equal opportunities in visitation. There shall be no discrimination.
- B. Visitors shall be treated with courtesy at all times and shall not be subject to unnecessary delay or inconvenience in accomplishing a visit.
- C. The guidelines set forth in YS Policy No. B.2.20 shall be adhered to for those youth and/or their family members who identify as Lesbian, Gay, Bisexual, Transgender, Intersex, Questioning (LGBTIQ) or gender nonconforming. (Refer to YS Policy No. B.2.20)
- D. Searches of visitors shall be conducted pursuant to YS Policy No. C.2.5.
- E. Visitors with disabilities shall have accessible facilities and reasonable accommodations as appropriate, while preserving the safety of the public, staff and youth.

XI. SPECIAL VISITS:

- A. Special visits may be granted in some circumstances and may occur outside of the established visitation hours. Persons requesting a special visit shall contact the youth's Case Manager to make arrangements. All special visits shall require the approval of the Facility Director.

Previous Regulation/Policy Number: C.2.8

Previous Effective Date: 12/13/2012



Attachments/References: C.2.8 (a) Police Questionnaire - June-2011.docx



C.2.8 (b) Visiting Questionnaire - December 2012.docx



C.2.8 (c) Rules and Guidelines for Visitation June2014.doc